



Department of
Education

Complaints and Notifications Policy

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1. Policy statement

The Department of Education (the Department) is committed to the effective management and resolution of complaints and notifications with a focus on prioritising student wellbeing. Complaints and notifications will be managed equitably with an emphasis on maintaining relationships and restorative approaches.

2. Policy rules

Principals and line managers will:

- categorise complaints and notifications according to the Complaints and Notifications Framework;
- encourage staff members to make notifications relating to the conduct of staff members, contractors and volunteers to enable appropriate action in response to fraud and corruption risks and in relation to concerns for the safety of students, parents, carers, staff members, contractors, volunteers and others;
- manage complaints and notifications in a fair, equitable, transparent, accessible, culturally responsive, restorative and effective way;
- apply procedural fairness in the management of complaints and notifications; and
- support students in making a complaint and manage complaints involving students with student safety and wellbeing in mind.

All employees will comply with the [Complaints and Notifications Framework](#).

Guidance

A complaint to the Department includes:

An expression of dissatisfaction with an aspect of Government education made to the Department by any person other than a staff member unless the complaint relates to the staff member's child and the child is a student at a public school, as prescribed under section 55(2)(c) of the [School Education Regulations 2000 \(WA\)](#). It may be general in nature and relate to matters including, but not limited to:

- The provision of education services or a process;
- The actions or behaviour (conduct) of a staff member, contractor or volunteer;

- The application or appropriateness of a policy, practice or procedure; or
- A decision by a staff member, contractor or volunteer, or a business area of the Department.

A notification to the Department includes:

A report by a staff member regarding the conduct or decision of a staff member, contractor, volunteer, or a business area of the Department. A notification does not include any matter that should be managed under another relevant Department framework or policy such as the the Department's Grievance Framework, Occupational Safety and Health policy, Employee Performance policy, Equal Opportunity, Discrimination and Harassment policy or Bullying in the Workplace policy.

The Department's values are outlined in the [Code of Conduct](#) and the Department's priorities are promoted through its strategic directions.

The Department encourages any person, other than a staff member as described in section 235(1) of the [School Education Act 1999 \(WA\)](#), to make a complaint to facilitate improved learning, best practice and high-quality service delivery.

The Department strives to resolve complaints and notifications efficiently, equitably and locally where possible.

Complaints and notifications may require referral or reporting to another Division within the Department or to another agency external to the Department for action and legislative compliance. In some instances, the external agency may be responsible for the complaint or notification resolution.

Complaints and notifications can be made verbally or in writing to the Department.

People making complaints and notifications are provided an outcome advising of the Department's resolution of the matter.

Complaints and notifications can be made anonymously.

If a complaint or notification remains anonymous, every effort will be made to provide an outcome. This communication can be made by the Department either verbally or in writing.

People making complaints or notifications can elect to report the matter to another relevant agency at any time. Suggested relevant agencies include:

- The Australian Health Practitioner Regulation Agency;
- The Australian Human Rights Commission;
- The Commissioner for Children and Young People WA
- The Corruption and Crime Commission;
- The Equal Opportunity Commission;
- The Information Commissioner;
- The Ombudsman of Western Australia;

- The Public Sector Commission;
- The Teacher Registration Board;
- The WA Police Force; and
- Worksafe.

3. Responsibility for Implementation and Compliance

Principals and line managers are responsible for implementing this policy.

The Director, Standards and Integrity Directorate is responsible for compliance monitoring.

4. Scope

This policy applies to all employees.

Guidance

This Policy does not apply to decisions by the Minister, Director General or delegate, made under a legislative instrument such as, however not limited to:

- Suspension and exclusion as per the [School Education Act 1999 \(WA\)](#);
- Proceedings instigated under the provisions of the [Equal Opportunity Act 1984 \(WA\)](#); and
- Matters that have been referred to the Ombudsman Western Australia under the provisions of the [Parliamentary Commissioner Act 1971 \(WA\)](#).

5. Definitions

Complaint

An expression of dissatisfaction with an aspect of Government education made to the Department by any person other than a staff member unless the complaint relates to the staff member's child and the child is a student at a public School, as prescribed under section 55(2)(c) of the School Education Regulations 2000 (WA). It may be general in nature and relate to matters including, but not limited to:

- The provision of education services or a process;
- The actions or behaviour (conduct) of a staff member (including a staff member involved in regulatory services supported by the Department), contractor or volunteer.
- The application or appropriateness of a policy, practice or procedure; or
- A decision by a staff member, contractor or volunteer, or a business area of the Department.

Corruption

Corruption has the meaning of the term 'misconduct' as defined under section 4 of the Corruption, Crime and Misconduct Act 2003 (WA). Corruption occurs if a public officer corruptly acts or fails to act in the performance of their functions of employment; or corruptly takes advantage of their employment to obtain a benefit for themselves or another, or cause a detriment to another; or commits an offence connected to their official capacity. It also includes conduct that is not honest or impartial, amounts to a breach of trust, or involves misuse of Department information or assets and constitutes a breach of discipline that could result in termination of employment.

Culturally responsive

Culturally responsive means the ability to understand, interact and communicate effectively and sensitively with people from a cultural background that is different to one's own. It is characterised by respect for culture, ongoing self-reflection, expansion of knowledge and commitment to improving practices and relationships.

Fraud

Fraud has the same meaning as defined under section 409 of the Criminal Code Act Compilation Act 1913 (WA). Fraud is defined as conduct with intent to defraud, by deceit or any fraudulent means, to obtain property or gain a benefit, pecuniary or otherwise.

Internal review

A process conducted by the Department, on the request of the person making the complaint, to examine whether the complaints management process was fair, reasonable and appropriate.

The staff member must be separate from the original complaint management process and in a position at least equivalent to the person who managed the original complaint.

An internal review is not a re-examination of the original complaint or notification.

Locally managed

A complaint managed by a School, Education Regional Office, Residential College or Central Services business area.

Notification

A report by a staff member regarding the conduct or decision of a staff member, contractor, volunteer, or a business area of the Department.

A notification does not include any matter that should be managed under another relevant Department framework or policy such as the Department's Grievance Framework, Occupational Safety and Health policy, Employee Performance policy, Equal Opportunity, Discrimination and Harassment policy or Bullying in the Workplace policy.

Person making a complaint

Any person, organisation or their representative making a complaint about an aspect of Government education including the conduct or decisions of a staff member, contractor or volunteer engaged by the Department of Education. This includes students, parents, members of the public and Department staff where their complaint relates to their child and the child is a student at a public School.

Person making a notification

Any Department staff member or contractor making a notification about the conduct or decisions of a staff member, contractor or volunteer engaged by the Department of Education.

Resolve

To make a finding about an allegation arising from a complaint or notification or make a decision without a finding and communicate that finding or decision to the person making the complaint or notification. A resolution occurs when the complaint has been managed in accordance with the Department's Complaints and Notifications Policy.

6. Related documents**Relevant legislation or authority**

[Corruption, Crime and Misconduct Act 2003 \(WA\)](#)

[Criminal Code Act Compilation Act 1913 \(WA\)](#)

[Disability Standards for Education 2005 \(Cth\)](#)

[Equal Opportunity Act 1984 \(WA\)](#)

[Human Rights and Equal Opportunity Commission Act 1986 \(Cth\)](#)

[Public Sector Management Act 1994 \(WA\)](#)

[Public Interest Disclosure Act 2003 \(WA\)](#)

[Racial Discrimination Act 1975 \(Cth\)](#)

[School Education Act 1999 \(WA\)](#)

[School Education Regulations 2000 \(WA\)](#)

[School Education \(Student Residential Colleges\) Regulations 2017 \(WA\)](#)

[State Records Act 2000 \(WA\)](#)

[Teacher Registration Act 2012](#)

[Working with Children \(Criminal Record Checking\) Act 2004 \(WA\)](#)

[Working with Children \(Criminal Recording Checking\) Regulations 2005 \(WA\)](#)

Related Department Policies

[Child Protection in Department of Education Sites](#)

[Records Management](#)

[Staff Conduct and Discipline](#)

[Working with Children Checks in Department of Education Sites](#)

Other documents

Aboriginal Cultural Standards Framework

Australian Human Rights Commission, National Principles for Child Safe Organisations

7. Contact information

Policy manager:

Director, Standards and Integrity

Policy contact officer:

Manager, Standards and Integrity

Standards and Integrity Directorate

Department of Education

151 Royal Street

East Perth WA 6004

Complaints Advice Line: 1800 655 985

8. History of changes

Effective date	24 August 2021
Last update date Policy version no.	1.0
Notes	<p>The new Complaints and Notifications Policy and Framework, replaces the Disputes and Complaints Policy. Approved by the Director General on 24 August 2021. D21/0466895</p> <p>Summary of changes to the Complaints and Notification policy and framework on lkon (staff only).</p>

Effective date	24 August 2021
Last update date	13 April 2022
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Notes	Contact information updated as per D22/0285252

9. More information

Supporting content

Framework

[Complaints and Notifications Framework](#)

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24 August 2024

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13 April 2022
